

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____ /

This Order Relates To:

Bellwether III Cases

_____ /

**AMENDED SCHEDULING ORDER FOR
BELLWETHER III TRIAL**

The Court sets forth the schedule for the Bellwether III cases, as set forth below.

<u>Event</u>	<u>Deadline/ Date Range</u>
Dr. Specht MATLAB code delivered to VNA	September 5, 2023
Dr. Specht Deposition	TBD ¹
Defendants' Expert Reports and Disclosures (for experts not responsive to Dr. Bithoney ("Group A Defense Experts"))	July 26, 2023
Plaintiffs' Reply Expert Reports (for those who are responsive to Group A Defense Experts + Due Date for Dr. Bithoney Replacement Expert Report and Complete Disclosure	August 16, 2023

¹ The parties indicated in the status conference held on July 19, 2023 that Dr. Specht's deposition will take place on or around September 25, 2023.

Depositions of Plaintiffs' Experts (Dr. Bithoney and Replacement of Dr. Bithoney) + Defendants' IMEs of Plaintiffs (if needed)	September 18, 2023 to October 9, 2023
Defendants' Reply Expert Reports (for Group A Defense Experts)	September 30, 2023
Defendants' Expert Depositions (of Group A Defense Experts) (shall be limited only to those experts for whom the parties submit new or additional reports)	October 2, 2023 to October 23, 2023
Defendants' Expert Reports and Disclosures (for experts responsive to Dr. Bithoney or Dr. Bithoney replacement ("Group B Defense Experts"))	October 23, 2023
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group A Defense Experts)	October 2, 2023 to October 27, 2023
Plaintiffs' Reply Expert Reports (for those who are responsive to Group B Defense Experts)	November 6, 2023
Defendants' Reply Expert Reports (for Group B Defense Experts)	November 20, 2023
Defendants' Expert Depositions (of Group B Expert Reports) (shall be limited only to those experts for whom the parties submit new or additional reports)	November 20, 2023 to December 11, 2023
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group B Defense Experts)	December 13, 2023 to December 20, 2023
Daubert and Summary Judgment Motions	December 29, 2023
Daubert and Summary Judgment Response Briefs	February 5, 2024

Daubert and Summary Judgment Reply Briefs	February 19, 2024
Oral Argument on Daubert Motions	April 22, 2024 2:00pm cont'd if needed on April 23, 2024 2:00pm
Oral Argument on Summary Judgment Motions	April 24, 2024 2:00pm cont'd if needed on April 25, 2024 2:00pm
Deadline for Parties to Submit Joint Proposed Jury Questionnaire to the Court (via e-mail)	July 15, 2024
Status Conference on Jury Questionnaire Content	July 22, 2024 2:00pm
Motions in Limine—Opening Briefs	July 29, 2024
Motions in Limine—Response Briefs	August 12, 2024
Motions in Limine—Reply Briefs	August 19, 2024
Deadline for Parties to Ship 200 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan	September 6, 2024
Hearing on motions in limine (the Court will notify the parties in advance as to which motions will be argued)	September 12, 2024 10:30am
Summoned Jurors to Courthouse to Answer Questionnaires (Court Staff Only) (Jury Department takes approximately one week to process questionnaires and make them available to counsel and the Court)	September 13, 2024
Deposition Designations (due for exchange between parties)	<i>Parties to propose deadline</i>
Objections to Deposition Designations and Counter-Designations (due for exchange between parties)	<i>Parties to propose deadline</i>
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court (via e-mail)	September 16, 2024

Parties to File Jointly Proposed Jury Instructions and Verdict Form	September 16, 2024
Parties to Submit Joint Final Pretrial Order (use Utilities function in CM/ECF and e-mail)	September 16, 2024
Parties to Submit Jointly Proposed Voir Dire Questions and Joint Statement of the Case (via e-mail)	September 20, 2024
Status Conference Regarding Excusals Based on Jury Questionnaire Responses	TBD
Final Pretrial Conference and Hearing on proposed Jury Instructions and Verdict Form	September 23, 2024 10:30am cont'd if needed on September 24, 2024 10:30am
Deadline for Court to Inform Jury Dept of Excusals Based on Questionnaires (Court Staff Only)	October 2, 2024
Hearing Regarding Misc. Pretrial Matters (if needed)	October 7, 2024 10:30am
First Day of Trial/Voir Dire	October 8, 2024 8:30am

Hearings will be conducted in person in Ann Arbor, Michigan unless the Court notifies the parties in advance otherwise.

IT IS SO ORDERED.

Dated: July 21, 2023
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on July 21, 2023.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager